

Decision \_\_\_\_\_

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Oversee the  
Resource Adequacy Program, Consider Program  
Refinements, and Establish Annual Local  
Procurement Obligations.

Rulemaking 11-10-023  
(Filed October 20, 2011)

**DECISION GRANTING INTERVENOR COMPENSATION TO  
THE UTILITY REFORM NETWORK FOR SUBSTANTIAL  
CONTRIBUTION TO DECISION 12-06-025**

<b>Claimant: The Utility Reform Network (TURN)</b>	<b>For contribution to D.12-06-025</b>
<b>Claimed (\$): \$35,495.65</b>	<b>Awarded (\$): \$6,657.83</b>
<b><i>Amendment:</i><sup>1</sup> \$6,601.58</b>	
<b>Assigned Commissioner: Mark J. Ferron</b>	<b>Assigned ALJ: David M. Gamson</b>

<sup>1</sup> As a result of the ruling on TURN's late filed NOI, dated August 31, 2012, TURN amended its request for compensation to exclude all hours and direct expenses incurred before May 11, 2012, reducing TURN's request by approximately \$29,000.

**PART I: PROCEDURAL ISSUES**

<b>A. Brief Description of Decision:</b>	In Decision (D.) 12-06-025, <i>Decision Adopting Local Procurement Obligations for 2013 and Further Refining the Resource Adequacy Program</i> , the Commission established local capacity obligations for 2013 applicable to Commission-jurisdictional electric load-serving entities, based on the California Independent System Operator's (CAISO's) annual study of local capacity requirements. The Commission also addressed various programmatic aspects of the Resource Adequacy Program, including determining that the issue of "flexible" capacity, with regard to local capacity requirements, was not ripe for resolution but should be further developed and resolved in this proceeding by or near the end of 2012.
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**B. Claimant must satisfy intervenor compensation requirements set forth in Public Utilities Code §§ 1801-1812:**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):</b>		
1. Date of Prehearing Conference Prehearing Conference (PHC):	N/A	Confirmed
2. Other Specified Date for Notice of Intent ( NOI):	Nov. 28, 2011	Confirmed
3. Date NOI Filed:	May 11, 2012	Confirmed
4. Was the NOI timely filed?		No
<b>Showing of customer or customer-related status (§ 1802(b)):</b>		
5. Based on Administrative Law Judge (ALJ) ruling issued in proceeding number:	Petition (P.) 10-08-016	Confirmed
6. Date of ALJ ruling:	Nov. 22, 2010	Confirmed
7. Based on another CPUC determination (specify):		
8. Has the Claimant demonstrated customer or customer-related status?		Yes
<b>Showing of "significant financial hardship" (§ 1802(g)):</b>		
9. Based on ALJ ruling issued in proceeding number:	P.10-08-016	Confirmed
10. Date of ALJ ruling:	Nov. 22, 2010	Confirmed
11. Based on another CPUC determination (specify):		
12. Has the Claimant demonstrated significant financial hardship?		Yes

Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	Decision (D.) 12-06-025	Confirmed
14. Date of Issuance of Final Order or Decision:	June 27, 2012	Confirmed
15. File date of compensation request:	August 27, 2012 Amended on September 26, 2012	Confirmed
16. Was the request for compensation timely?	Yes	

**C. Additional Comments on Part I:**

#	Claimant	CPUC	Comment
2	X	Confirmed	The Commission directed in Rulemaking (R) 11-10-023 that parties should file NOIs not later than 30 days after the date of issuance of that order. (R.11-10-023, at 11.) The Commission issued R.11-10-023 on October 27, 2011. The thirtieth day thereafter fell on a Saturday, making the deadline for filing an NOI November 28, 2011.
3	X	Confirmed	<p>On May 11, 2012, TURN filed its NOI, as well as a motion for permission to late-file the NOI. As TURN explained in that motion, TURN inadvertently failed to timely file its NOI and sought leave to late-file an NOI, after the due date. ALJ Gamson had yet to issue a ruling on TURN's motion as of the due date for this request for compensation. For the reasons provided in that motion, TURN respectfully requests that the Commission accept its late-filed NOI and accordingly entertain this request for compensation.</p> <p><b>Amendment:</b> As of the date TURN filed its original request for compensation (Aug. 27, 2012), a ruling on TURN's motion had not yet issued. However, on August 31, 2012, ALJ Gamson issued a ruling accepting TURN's late-filed NOI but determining that TURN's eligibility for intervenor compensation would start on May 11, 2012, the date on which TURN filed its NOI. As a result of that ruling, TURN is amending its request for compensation to exclude all hours and direct expenses incurred before May 11, 2012, which reduces TURN's request by approximately \$29,000.</p>

15	X	Confirmed	The 60 <sup>th</sup> day after the issuance of D.12-06-025 fell on Sunday, August 26, 2012. Pursuant to Rule 1.15 of the Commission's Rules of Practice and Procedure, this Request for Compensation is timely filed on the first business day thereafter.
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## PART II: SUBSTANTIAL CONTRIBUTION

### A. Claimant's contribution to the final decision (*see* § 1802(i), § 1803(a) & D.98-04-059)

Contribution	Specific References to Claimant's Presentations and to Decision	Showing Accepted by CPUC
1. TURN contributed to the Commission's determination that CAISO's recommended Local Capacity Requirements (LCR) for the San Diego sub-area should be rejected.	<ul style="list-style-type: none"> <li>TURN Cmts on CAISO LCR Study, 5/7/12, at 1-3.</li> <li>TURN Reply Cmts on CAISO LCR Study, 5/14/12, at 1-2.</li> <li>TURN Reply Cmts on PD, 6/18/12, at 2 (opposing NRG's recommended change to the PD to adopt a San Diego-sub area LCR).</li> <li>D.12-06-025, at 9.</li> </ul>	Confirmed
2. TURN contributed to the Commission's determination that the Commission should adopt the CAISO-computed local capacity requirements (LCR) for a new, larger Greater Imperial Valley – San Diego Area to be created when Sunrise Powerlink is completed.	<ul style="list-style-type: none"> <li>TURN Reply Cmts on CAISO LCR Study, 5/14/12, at 1-2.</li> <li>D.12-06-025, at 9.</li> </ul>	Confirmed
3. TURN contributed to the Commission's determination that Energy Division's proposal to revise current "capacity buckets" to limit procurement of inflexible resources should be rejected because no immediate need for flexibility requirements in 2013 has been demonstrated.	<ul style="list-style-type: none"> <li>TURN Cmts Addressing ALJ Ruling Seeking Comment, 4/11/12, at 1-5.</li> <li>D.12-06-025, at 19.</li> </ul>	Confirmed
4. TURN contributed to the Commission's determination that the CAISO's proposal to define flexible attributes this year should be	<ul style="list-style-type: none"> <li>TURN Cmts Addressing ALJ Ruling Seeking Comment, 4/11/12, at 1-5.</li> </ul>	Confirmed

rejected because no immediate need for flexibility requirements in 2013 has been demonstrated.	<ul style="list-style-type: none"> <li>• D.12-06-025, at 19.</li> </ul>	
5. TURN demonstrated that it would be premature for the Commission to provide a roadmap for adopting a multi-year forward procurement requirement, as evidence of the need for multi-year forward procurement was not developed in the record of this phase of this proceeding.	<ul style="list-style-type: none"> <li>• TURN Reply Cmts Addressing ALJ Ruling Seeking Comment, 4/20/12, at 1-3.</li> <li>• TURN Reply Cmts on PD, 6/18/12, at 1 (arguing that the Commission should reject Capline's request for changes to the PD to adopt such a roadmap).</li> <li>• D.12-06-025, at 19-21 (instead adopting a cautions, systematic approach to defining flexible capacity needs and developing a flexible capacity framework for possible application in setting 2014 RA compliance requirements).</li> </ul>	Confirmed
6. TURN contributed to the Commission's determination that, while flexible capacity needs should not be determined for application in 2013, the Commission should immediately begin work on a framework for filling flexible capacity needs in the future, and should undertake that work with close coordination between this docket and R.12-03-014 (Long-Term Procurement Plans).	<ul style="list-style-type: none"> <li>• TURN Cmts Addressing ALJ Ruling Seeking Comment, 4/11/12, at 3.</li> <li>• TURN Cmts on PD, 6/11/12, at 2.</li> <li>• TURN Reply Cmts on PD, 6/18/12, at 3.</li> <li>• D.12-06-025, at 19-20 (quoting TURN).</li> </ul>	Confirmed

**B. Duplication of Effort (§§ 1801.3(f) & 1802.5):**

	<b>Claimant</b>	<b>CPUC Verified</b>
<b>a. Was the Office of Ratepayer Advocates (ORA) a party to the proceeding?<sup>2</sup></b>	<b>Yes</b>	<b>Confirmed</b>
<b>b. Were there other parties to the proceeding with</b>	<b>Yes</b>	<b>Confirmed</b>

<sup>2</sup> The Division of Ratepayer Advocates was renamed the Office of Ratepayer Advocates effective September 26, 2013, pursuant to Senate Bill No. 96 (Budget Act of 2013), which was approved by the Governor on September 26, 2013.

positions similar to yours?		
<p><b>c. If so, provide name of other parties:</b> TURN and San Diego Gas &amp; Electric Company took similar positions on LCR issues specific to the San Diego area. TURN's general position that the Commission should not yet act on the flexible capacity procurement proposals was likewise shared by many other parties. (<i>See</i> D.12-06-025, at 19-20).</p>		Confirmed
<p><b>d. Describe how you coordinated with ORA and other parties to avoid duplication or how your participation supplemented, complemented, or contributed to that of another party:</b>  TURN and DRA represented similar interests in this proceeding. (While both represented ratepayer interests, TURN alone only represented the interests of residential and small commercial customers.) TURN accordingly took steps to coordinate with DRA, as appropriate. TURN also addressed different issues and took different positions than DRA. DRA addressed a broad range of issues covered by D.12-06-025, whereas TURN focused primarily on two issues: San Diego area LCR and flexible capacity procurement. DRA did not address the CAISO's 2013 LCR study results at all. As for flexible capacity procurement, TURN and DRA took different positions on how the Commission should respond to Energy Division's Revised Maximum Cumulative Capacity Bucket proposal. DRA recommended that Energy Division's proposal be adopted on a "trial run" basis in 2013, whereas TURN recommended that the Commission not act on this proposal at all at this time. (<i>Compare</i> DRA Reply Cmts, 4/20/12, at 2; TURN Cmts, 4/11/12, at 3).</p> <p>While TURN and SDG&amp;E both opposed the recommendations of CAISO for the San Diego sub-area, each party provided a unique analysis. Moreover, TURN and SDG&amp;E did not represent similar interests. TURN represents SDG&amp;E's ratepayers, whereas the utility represents its shareholders first and foremost, and only when not in conflict, its ratepayers. The fact that both parties arrived at similar conclusions, despite their different interests, served to enhance the record.</p> <p>Similarly, the fact that numerous parties shared TURN's perspective that the flexible capacity procurement proposals were not ripe for adoption did not result in TURN's undue duplication with those parties. A rulemaking proceeding of this nature attracts a range of parties, and some degree of overlap in positions is inevitable. In the specific case of the flexible procurement issue here, the range of interests represented by parties with positions overlapping with TURN's varied widely, from generators to marketers to utilities to consumer representatives. TURN's analysis was complementary to the offerings</p>		Confirmed

<p>of others, yielding a full record upon which the Commission could base its determination that action was premature.</p> <p>For all of these reasons, TURN submits that the Commission should find no undue duplication between TURN's participation and that of DRA or other parties.</p>	
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### PART III: REASONABLENESS OF REQUESTED COMPENSATION

#### A. General Claim of Reasonableness (§§ 1801 & 1806):

<p><b>a. Concise explanation as to how the cost of Claimant's participation bears a reasonable relationship with benefits realized through participation (include references to record, where appropriate)</b></p> <p>TURN's advocacy reflected in D.12-06-025 addressed policy matters rather than specific rates or disputes over particular dollar amounts. As a result, TURN cannot easily identify precise monetary benefits to ratepayers from our work related to D.12-06-025, given the nature of the issues presented. While it is difficult to place a dollar value on Resource Adequacy (RA) issues, TURN submits that our participation resulted in RA program policies that should result in reduced customer costs by protecting ratepayers from assuming the costs of over-procurement and/or market power challenges that can drive up costs, and from costs associated with inadequate resource supply. In this case as in prior RA proceedings, these benefits far exceed the modest cost of TURN's participation. (<i>See, i.e.</i> D.12-06-014, issued in the last RA proceeding, R.09-1-032, as well as D.09-11-029, issued in R.08-01-025, and D.07-03-011, issued in R.05-12-013 (two earlier RA proceedings), which found that the benefits from TURN's participation on RA policy issues outweighed the costs of TURN's participation.)</p> <p>For all of these reasons, the Commission should find that TURN's efforts here have been productive.</p>	<p><b>CPUC Verified</b></p> <p>The benefits to ratepayers from The Utility Reform Network's participation in R.11-10-023 outweighed the cost of its participation in the proceeding.</p>
<p><b>b. Reasonableness of Hours Claimed.</b></p> <p>This Request for Compensation includes approximately 145 total hours for TURN's attorneys and consultant time, or the equivalent of less than month of full-time work by a single person (40 hours/week * 4.3weeks/month = 172 hours/month). TURN submits that this is a reasonable amount of time, given that Phase 1, resulting in D.12-06-025, spanned 9 months and involved several days of workshops and seven pleadings filed by TURN (excluding compensation-related pleadings).</p> <p>TURN's request is also reasonable because we were efficient in staffing</p>	<p>Confirmed. The Utility Reform Network made a substantial contribution to D.12-06-025. Its amended request of hours bears a reasonable relationship with the benefits</p>

<p>this proceeding and pursuing our results. Marybelle Ang was TURN’s attorney in this proceeding from its inception, as reflected in the attached timesheets. In May 2012, TURN assigned Hayley Goodson as Ms. Ang’s replacement while Ms. Ang is on parental leave from TURN. At no time did Ms. Ang and Ms. Goodson overlap in their work on this proceeding.</p> <p>Ms. Ang and later Ms. Goodson were assisted by outside consultant Kevin Woodruff, of Woodruff Expert Services, the same expert TURN has extensively relied on in previous Resource Adequacy rulemaking proceedings. Mr. Woodruff assisted TURN with all Phase 1 issues addressed in D.12-06-025. Ms. Ang and Ms. Goodson relied heavily on Mr. Woodruff, resulting in Mr. Woodruff’s incurring nearly three times as many hours as Ms. Ang and Ms. Goodson combined (excluding intervenor compensation-related time). This reliance on Mr. Woodruff’s extensive expertise resulted in efficiencies in TURN’s participation in this proceeding. TURN submits that all of the hours claimed in this request were reasonably necessary to the achievement of TURN’s substantial contributions, and no unnecessary duplication of effort is reflected in the attached timesheets.</p> <p>TURN’s request also includes 9.25 hours devoted to the preparation of this request for compensation by Ms. Goodson. (Ms. Ang is still on parental leave.) This is a reasonable figure consistent with the scale of the proceeding and TURN’s level of involvement therein.</p> <p><b>Amendment:</b> With the implementation of the ALJ’s ruling on TURN’s NOI, which found TURN eligible for intervenor compensation in this proceeding only from the date of our late-filed NOI, May 11, 2012, TURN’s hours are reduced from a total of 144.5 to 28.0 hours. These remaining 28.0 hours exclude all of Ms. Ang’s work in this proceeding (24.5 hours), which occurred before May 11, 2012. They also exclude the vast majority of Mr. Woodruff’s time, 87.25 hours out of a total of 98.5 hours, which occurred before May 11, 2012.</p>	<p>realized in its contribution to D.12-06-025.</p>						
<p><b>c. Allocation of Hours by Issue</b></p> <p>TURN has allocated its daily time entries by activity codes to better reflect the nature of the work reflected in each entry. TURN has used the following activity codes:</p> <table><tr><th>Code</th><th>Description</th><th>Allocation of Time</th></tr><tr><td>LCR</td><td>Work specifically related to Local Capacity Requirements for 2013 (<i>Phase I Scoping Memo</i></td><td>19%</td></tr></table>	Code	Description	Allocation of Time	LCR	Work specifically related to Local Capacity Requirements for 2013 ( <i>Phase I Scoping Memo</i>	19%	<p>Confirmed. TURN has properly allocated its time by major issue as required by Rule 17.4.<sup>3</sup></p>
Code	Description	Allocation of Time					
LCR	Work specifically related to Local Capacity Requirements for 2013 ( <i>Phase I Scoping Memo</i>	19%					

<sup>3</sup> See D.98-04-059 and D.85-08-012.



	Issue 1)		
Flex Cap	Work specifically related to Flexible Capacity Procurement ( <i>Phase I Scoping Memo</i> Issue 2(f))	38%	
Ph1	Work related to drafting comments on the proposed scope of Phase 1 of this proceeding, reviewing such comments from other parties, review of Energy Division's and parties' Phase 1 proposals (responsive to the <i>Phase I Scoping Memo</i> ), and participating in the January 2012 workshops covering the full range of Phase 1 issues	29%	
PD	Work related to reviewing and preparing comments on the Proposed Decision, aside from work that could easily be allocated to the LCR and Flex Cap issues areas	4%	
GP	Work related to general participation in this proceeding, such as reviewing the OIR and scoping memo, an initial review of the proceeding to determine issues that TURN would focus on, and other procedural matters	3%	
Comp	Work related to intervenor compensation. TURN has excluded all time related to the preparation of our motion for leave to late-file an NOI ( <i>see</i> Section I.C, Comment Line 3 above)	7%	

If the Commission believes that a different approach to issue-specific allocation is warranted here, TURN requests the opportunity to supplement this section of the request.

**Amendment:** This table reflects the allocation by issue of the 144.5 hours included in TURN's original request for compensation. The implementation of the ALJ's ruling on TURN's NOI results in the exclusion of the vast majority of TURN's hours devoted to "LCR" (20.25 of 27.25 hours) and "Flex Cap" (48.75 of 55.25 hours), all of TURN's work on "Ph1" (41.25 hours) and "GP" (4.75 hours), and 1.50 hours of TURN's "Comp" time. The following table illustrates this impact.

Code	TURN's Hours (actual)	Allocation of Time	Subset of TURN's Hours from 5/11/12 on	Hours Excluded Per ALJ Ruling
LCR	27.25	19%	7.00	20.25
Flex Cap	55.25	38%	6.50	48.75
Ph1	41.25	29%	0.00	41.25
PD	5.25	4%	5.25	0.00
GP	4.75	3%	0.00	4.75
Comp	10.75	7%	9.25	1.50
Total	144.50	100%	28.00	116.50

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**B. Specific Claim:**

CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Marybelle Ang, TURN Attorney	2011	10.75	\$280	D.10-12-015, at 16	\$3,010.00			See amended table below
Marybelle Ang, TURN Attorney	2012	13.75	\$295	D.08-04-010, 5% Step Increase	\$4,056.25			See amended table below
Hayley Goodson, TURN Attorney	2012	10.75	\$325	D.08-04-010, Change in Experience Level	\$3,493.75			See amended table below
Kevin Woodruff, Woodruff Expert Services	2011	12.00	\$235	D.12-06-014	\$2,820.00			See amended table below
Kevin Woodruff, Woodruff Expert Services	2012	86.50	\$235	Same rate adopted for 2011 work	\$20,327.50			See amended table below
	Subtotal:				\$33,707.50	Subtotal:		See amended table below
INTERVENOR COMPENSATION CLAIM PREPARATION **								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Hayley Goodson, TURN Attorney	2012	10.75	\$163	1/2 of requested hourly rate for 2012	\$1,746.88			See amended table below
	Subtotal:				\$1,746.88	Subtotal:		See amended table below
COSTS								
#	Item	Detail			Amount	Amount		

	Phone/Fax	telephone expense related to R.11-10-023, Phase 1	\$1.31		See amended table below
	Photocopying	expense associated with copying pleadings related to R.11-10-023, Phase 1	\$23.20		See amended table below
	Postage	expense associated with mailing pleadings related to R.11-10-023, Phase 1	\$16.76		See amended table below
<b>Subtotal:</b>			<b>\$41.27</b>	<b>Subtotal:</b>	See amended table below
<b>TOTAL REQUEST \$:</b>			<b>\$35,495.65</b>	<b>TOTAL AWARD \$:</b>	See amended table below

\* We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Claimant's records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.

\*\*Travel and Reasonable Claim preparation time typically compensated at ½ of preparer's normal hourly rate.

***Amendment:***

AMENDMENT: CLAIMED						CPUC AWARD		
ATTORNEY, EXPERT, AND ADVOCATE FEES								
Item	Year	Hours	Rate	Basis for Rate*	Total \$	Hours	Rate	Total \$
Marybelle Ang, TURN Attorney	2011	0	\$280	D.10-12-015, at 16	\$0	0	\$280	\$0
Marybelle Ang, TURN Attorney	2012	0	\$295	D.08-04-010, 5% Step Increase	\$0	0	\$300	\$0
Hayley Goodson, TURN Attorney	2012	7.50	\$325	D.08-04-010, Change in Experience Level	\$2,437.50	7.50	\$325	\$2,437.50
Kevin Woodruff.	2011	0	\$235	D.12-06-014	\$0	0	\$235	\$0

Woodruff Expert Services								
Kevin Woodruff, Woodruff Expert Services	2012	11.25	\$235	Same rate adopted for 2011 work	\$2,643.75	11.25	\$240	\$2,700
	<b>Subtotal:</b>				<b>\$5,081.25</b>	<b>Subtotal:</b>		<b>\$5,137.50</b>
<b>INTERVENOR COMPENSATION CLAIM PREPARATION **</b>								
<b>Item</b>	<b>Year</b>	<b>Hours</b>	<b>Rate</b>	<b>Basis for Rate*</b>	<b>Total \$</b>	<b>Hours</b>	<b>Rate</b>	<b>Total \$</b>
Hayley Goodson, TURN Attorney	2012	9.25	\$163	1/2 of requested hourly rate for 2012	\$1,503.13	9.25	\$162.50	\$1,503.13
	<b>Subtotal:</b>				<b>\$1,503.13</b>	<b>Subtotal:</b>		<b>\$1,503.13</b>

COSTS					
#	Item	Detail	Amount	Amount	
	Phone/Fax	telephone expense related to R.11-10-023, Phase 1	\$0		\$0
	Photocopying	expense associated with copying pleadings related to R.11-10-023, Phase 1	\$8.80		\$8.80
	Postage	expense associated with mailing pleadings related to R.11-10-023, Phase 1	\$8.40		\$8.40
<b>Subtotal:</b>			<b>\$17.20</b>	<b>Subtotal:</b>	<b>\$17.20</b>
<b>TOTAL REQUEST \$:</b>			<b>\$6,601.58</b>	<b>TOTAL AWARD \$:</b>	<b>\$6,657.83</b>
<p>* We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Claimant's records should identify specific issues for which it seeks compensation, the actual time spent by each employee or consultant, the applicable hourly rates, fees paid to consultants and any other costs for which compensation was claimed. The records pertaining to an award of compensation shall be retained for at least three years from the date of the final decision making the award.</p> <p>**Travel and Reasonable Claim preparation time typically compensated at ½ of preparer's normal hourly rate.</p>					
Attorney		Date Admitted to CA BAR <sup>4</sup>	Member Number	Actions Affecting Eligibility (Yes/No?) If "Yes", attach explanation	
Marybelle Ang		September 18, 2009	264333	No.	
Hayley Goodson		December 5, 2003	228535	No	

<sup>4</sup> This information may be obtained at: <http://www.calbar.ca.gov/>.

**C. CPUC Disallowances, Adjustments, and Comments:**

<b>Attachment or Comment #</b>	<b>Description/Comment</b>
Hourly Rate for Marybelle Ang	<p><b>2012 Hourly Rate for TURN Attorney Marybelle Ang:</b></p> <p>TURN requests an hourly rate of \$295 for Marybelle Ang's work in 2012, plus any Cost-of-Living increase adopted for 2012. Ang has been practicing energy law and working in wholesale energy transactions and procurement for eleven years, practicing as an attorney for six of those years. Ang is a 2001 graduate of Northwestern University School of Law. Ang was previously awarded an hourly rate of \$280 in D.11-06-012.</p> <p>Resolution ALJ-247 allows a step increase of 5% in hourly rates up to two times annually within each experience level. Resolution ALJ-281 adopts a 2.2% Cost-of-Living Allowance (COLA) for 2012 hourly rates.</p> <p>But for the ALJ ruling on TURN's late filed NOI, which found TURN eligible for intervenor compensation as of May 11, 2012, Ang would have been eligible for the hourly rate increases outlined above for her work in this proceeding prior to the late NOI filing. As such, the Commission adopts an hourly rate of \$300 for Marybelle Ang in 2012. This includes a 5% step increase pursuant to Resolution ALJ 247 and a Cost-of-Living increase pursuant to Resolution ALJ-281.</p>
Hourly Rate for Hayley Goodson	<p><b>2012 Hourly Rate for TURN Attorney Hayley Goodson:</b></p> <p>For Hayley Goodson's 2012 rate, TURN asks the Commission to recognize that she is now in the 8-12 year experience band adopted in D.08-04-010, and that a \$325 hourly rate is appropriate given the move into this band. As the Commission recognized in D.08-04-010 (at 8), moving to a higher experience level is one of the circumstances that qualifies an intervenor representative with an existing rate for a rate increase.</p> <p>Recently, in D.13-09-022, the Commission has adopted an hourly rate of \$325 for Goodson's 2012 work. We apply that rate here.</p>
Hourly Rate for Kevin Woodruff	<p><b>2012 Hourly Rate for TURN Expert Consultant Kevin Woodruff:</b></p> <p>TURN asks the Commission to apply to Kevin Woodruff's time in 2012 the same hourly rate previously approved for his 2011 time, plus the COLA, if any, ultimately adopted by the Commission in Res. ALJ-281 for 2012 rates.</p> <p>In D.13-08-022, the Commission has adopted an hourly rate of \$235 for Woodruff's work in 2011. We apply the 2.2% Cost-of-Living Adjustment here for an hourly rate of \$240 for Woodruff's work in 2012.</p>

**PART IV: OPPOSITIONS AND COMMENTS**

Within 30 days after service of this Claim, Commission Staff  
or any other party may file a response to the Claim (see § 1804(c))

<b>A. Opposition: Did any party oppose the Claim?</b>	No
<b>B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(2)(6))?</b>	Yes

**FINDINGS OF FACT**

1. The Utility Reform Network has made a substantial contribution to Decision 12-06-025.
2. The requested hourly rates for The Utility Reform Network's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services.
3. The claimed costs and expenses are reasonable and commensurate with the work performed.
4. The total of reasonable contribution is \$6,657.83.

**CONCLUSION OF LAW**

1. The Claim, with any adjustment set forth above, satisfies all requirements of Public Utilities Code §§ 1801-1812.

**ORDER**

1. The Utility Reform Network is awarded \$6,657.83.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, Southern California Edison, and San Diego Gas & Electric Company shall pay The Utility Reform Network their respective shares of the award, based on their California-jurisdictional electric revenues for the 2012 calendar year, to reflect the year in which the proceeding was primarily litigated. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning December 10, 2012, the 75<sup>th</sup> day after the filing of The Utility Reform Network's amended request, and continuing until full payment is made.

3. The comment period for today's decision is waived.

This decision is effective today.

Dated \_\_\_\_\_, at San Francisco, California.



**APPENDIX****Compensation Decision Summary Information**

<b>Compensation Decision:</b>		<b>Modifies Decision?</b> No
<b>Contribution Decision(s):</b>	D1206025	
<b>Proceeding(s):</b>	R1110023	
<b>Author:</b>	ALJ David Gamson	
<b>Payer(s):</b>	Pacific Gas and Electric Company, Southern California Edison Company, and San Diego Gas & Electric Company	

**Intervenor Information**

<b>Intervenor</b>	<b>Claim Date</b>	<b>Amount Requested</b>	<b>Amount Awarded</b>	<b>Multiplier</b>	<b>Reason Change/Disallowance</b>
The Utility Reform Network	Original Claim Filed 08/27/12 Amended Claim Filed 09/26/12	\$6,601.58	\$6,657.83	No	Applied 2012 COLA to hourly rates pursuant to Resolution ALJ-281.

**Advocate Information**

<b>First Name</b>	<b>Last Name</b>	<b>Type</b>	<b>Intervenor</b>	<b>Hourly Fee Requested</b>	<b>Year Hourly Fee Requested</b>	<b>Hourly Fee Adopted</b>
Marybelle	Ang	Attorney	The Utility Reform Network	\$280	2011	\$280
Marybelle	Ang	Attorney	The Utility Reform Network	\$295	2012	\$300
Hayley	Goodson	Attorney	The Utility Reform Network	\$325	2012	\$325
Kevin	Woodruff	Expert	The Utility Reform Network	\$235	2011	\$235
Kevin	Woodruff	Expert	The Utility Reform Network	\$235	2011	\$240

**(END OF APPENDIX)**